

Congress of the United States
Washington, DC 20515

July 30, 2009

The Honorable Jane Lubchenco
Administrator
National Oceanic and Atmospheric Administration
Room 5128
14th and Constitution Ave, NW
Washington, D.C. 20230

Re: Skate Management

Dear Dr. Lubchenco:

Back in February of 2007, the National Marine Fisheries Service alerted the New England Fishery Management Council (NEFMC) that it considered winter skate overfished based on the scientific information available at the time. Subsequently, the NEFMC initiated development of Amendment 3 to the Northeast Skate Complex Fishery Management Plan (FMP). As a result, the NEFMC recently approved a skate management proposal that could reduce skate catch limits by as much as 90 percent. Obviously, the economic impact of such a reduction would be economically devastating.

The skate FMP manages a complex of seven skate species: Winter; little; thorny; barndoor; smooth; clearnose; and rosette. Of those seven species, only the thorny and smooth Skate are considered overfished by the National Marine Fisheries Service (NMFS).

Back in May, the New Bedford Fisheries Task Force hosted a presentation of Skate fisheries' data from the NMFS' trawl survey and the School for Marine Science and Technology (SMAST) study fleet out of New Bedford. Based on the presentation results only the thorny skate appeared to be severely depressed. While the smooth skate might be declining, it was still close to the threshold. The other five skate stocks seemed to be doing reasonably well. In fact, the data showed that winter skate seemed to be above the acceptable threshold.

The overall number of skate appears to be relatively high compared to other species. For example, where captains participating in the SMAST study fleet were targeting cod and haddock, more skate were caught than the target species. All other by-catch species were very low. As you know, haddock is a completely rebuilt stock.

Again, based on the data presented, only the thorny skate is depressed within the skate complex. Both the thorny and smooth skate occur primarily in the Gulf of Maine and the fringe waters of Georges Bank in waters 50 fathoms or deeper. Also, the highest distributions of these skate appear in areas that are either closed or already designated as 2:1 counting areas. The groundfish fishery only partially overlaps areas where these two skate occur, but strongly overlap areas where the little and winter skate occur.

The high by-catch of little and winter skate when study vessels are targeting groundfish such as cod and haddock further suggest a high abundance of these skate species. Based on these results, it appears likely that the primary skate caught in the groundfish fishery are little and winter skate and both stocks appear to be above the threshold and may, in fact, be increasing.

The city of New Bedford, which has been named the top grossing port in terms of catch price for the ninth straight year in a recent release from NOAA, has numerous processing plants that strongly rely on skate landings from Massachusetts and Rhode Island fishermen. The result of the NEFMC proposal would be the loss of hundreds of jobs in both states, skate market share abroad, further economic harm to fishermen and permanent harm to any potential future skate market as the infrastructure supporting that market looks for economic opportunities elsewhere or worse, goes out of business altogether.

The proposed reductions are the result of three skate species within the skate complex. However, winter skate is no longer considered overfished. Further, due to the distribution of thorny and smooth skate, and at the depth they are found, it is clear these two species could be easily avoided by fishermen under a more reasonable management approach. The potential loss of jobs and economic impact demands the implementation of alternative management strategies so that fishing opportunities which clearly exist can be utilized.

We do not believe given the overall health of the Skate complex that proposed management objectives should be analogous to reduced fishing. A targeted fishing approach that looked to balance the conservation of thorny skate with the abundance of winter and little skate would save jobs and maintain the economic health of those businesses and fishermen who rely on this fishery.

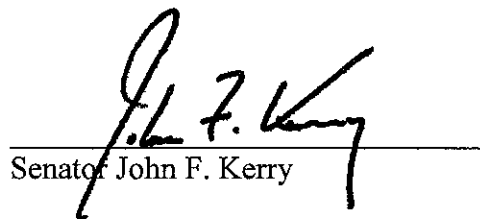
Therefore, we strongly urge your office to reconsider the NEFMC's recommendation for Amendment 3 and implement an Amendment that protects fishing communities from

economic harm while adhering to conservation objectives through a targeted management strategy.

Sincerely,



Senator Edward M. Kennedy



Senator John F. Kerry



Congressman Barney Frank